



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शुक्रवार 26 अगस्त, 2011 / 4 भाद्रपद, 1933

हिमाचल प्रदेश सरकार

LABOR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-2 , the 18th August, 2011

No. Sharm (A) 7-1/2005 (Award).—In exercise of the powers vested in him under section 17(1) of the Industrial Disputes Act, 1947, the Governor Himachal Pradesh is pleased to order the publication of awards announced by the Presiding Officer, Labour Court Shimla of the following cases on the website of Labour & Employment Department:-

Sr.No.	Case No.	Title of the Case	Date of Award
1.	27/2007	S/Sh. Udho Ram Vs M.C.Shimla.,	31-05-2011
2.	105/2009	Rajesh Kumar Vs M/S Pyasamid Electronic Parwanoo.	03-06-2011
3.	55/2007	Lekh Ram Vs I&PH Arki Distt. Solan.	30-06- 2011
4.	12/2009	Gurcharan Vs Xen HPSEB Nalagarh.	30-06- 2011
5.	58/2009	Mohinder Singh Vs S.R.Forginh Ltd, Barotiwala.	30-06- 2011
6	11/2011	Workers Union Vs M/s Line chemicals ltd. Pointa Sahib.	01-07- 2011

By order,
Sd/-
ACS (Labor & Employment).

Ref.11/2011

Line Chemical Workers Union V/s Line Chemical Ltd P/sahib.

1,7,2011:-

Present:- Sh.Surinder Singh President and Sumer Singh, Secretary for petitioner Union.
Sh. Rahul Mahajan , Advocate for the respondent.

The petitioner union has entered into a settlement with the respondent company. The settlement has been registered and copy of settlement Ex.C-1 has been placed on record which is admitted to be true and correct by the president and Secretary of the union. The president and Secretary have made statement for withdrawal of the reference inview of the settlement, so., the reference is answered accordingly and the petition stands disposed of . Let a copy of this award be sent to the appropriate government for publication in the official gazette. File, after completion be consigned to records.

Announced: 1-7-2011.

Sd/-
Presiding Judge,
Labour Court, Shimla.

IN THE COURT OF D.K SHARMA, PRESIDING JUDGE, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SHIMLA, (H.P).

Ref No. 12 of 2009.
Instituted on. 16.3.2009.
Decided on 30.6.2011.

Gurcharan Singh S/o Shri Kaura Ram R/o Village Sekadi, P.O Jaghon, Tehsil Nalagarh, District, Solan, H. P. . . Petitioner.

Vs.

The Senior Executive Engineer, Electrical Division, HPSEB Nalagarh, District Solan, H. P. . . Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947

For petitioner :- Shri R.S Thakur, Advocate.
For respondent :- Shri Chandan Goel, Advocate.

AWARD

The following reference has been received from appropriate government for adjudication:

““Whether the termination of services of Shri Gurcharan Singh s/o Shri Kaura Ram, workman by the Senior Executive Engineer, Electrical Division, HPSEB Nalagarh, District Solan, HP, w.e.f. 25.12.2001 without complying the provisions of Industrial Disputes Act, 1947 is proper and justified? If not, what relief of service benefits and amount of compensation, the above aggrieved workman is entitled to.”

1. It is averred that the petitioner was engaged as a beldar by the respondent on 26th July, 1993. The petitioner has completed 240 days in a calendar year for the application of section 25-F and 25-N of the Industrial Disputes Act, 1947. However, the services of the petitioner were terminated on 20.8.1999 and therefore the petitioner filed an OA No. 12 of 2000 which was allowed by the Learned Administrative Tribunal on 5th October, 2001 with the directions to reengage the petitioner and with benefit of seniority but without back wages. The services of the petitioner were again terminated on 25.12.2001 without complying the provisions of Industrial Disputes Act. It is also alleged that while dispensing with the services of the petitioner, the principle of last come first go was also not followed.

2. The claim is opposed by the respondent on the grounds that the petitioner was initially engaged as beldar on 13.5.1993 and worked as such upto 20.7.1999 with certain interruptions and abandoned the duty. The petitioner was never regular in his duties. The respondent reengaged the services of the petitioner pursuant to the order of the Learned Administrative Tribunal dated 5.10.2001 and was disengaged on 25.12.2001 pursuant to notice dated 23.11.2001 annexure R-2. The petitioner was engaged for construction work and after completion of work, his services were terminated. The respondent was exempted from application of provisions of Industrial Employment (Standing Orders Act). The respondents strictly followed the policy of last come first go.

3. On the pleadings of the parties,following issues were framed:-

1. Whether the termination of services of Shri Gurcharan Singh petitioner by the senior Executive Engineer, Electrical Division, HPSEB Nalagarh, District Solan w.e.f. 25.12.2001 without complying with the provisions of Industrial Disputes Act, 1947 is improper and unjustified as alleged? OPP.
2. If issue no.1 is proved, to what relief of service benefits and amount of compensation, the petitioner is entitled to? OPP.
3. Relief.

4. The reference was decided by this Tribunal vide order dated 7.7.2010 which order has been set aside in a writ petition by the Hon'ble High Court and the case has been remanded back to this Tribunal to decide the question whether the respondent has complied with the provisions of section 25-F or not. Therefore, the matter is being decided afresh.

5. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:

- | | |
|-------------------|---|
| <i>Issue No.1</i> | Yes. |
| <i>Issue No.2</i> | Entitled for reinstatement with seniority and continuity in service but without back wages. |
| <i>Relief.</i> | Reference answered in affirmative per operative part of award. |

Reasons for findings

Issue No.1 :

6. The Hon'ble High Court in the judgment dated 3.5.2001 has recorded a finding that the applicant had completed more than 240 days in the preceding twelve calendar months from the date of his termination. This finding came to be recorded on the basis of the order of the Learned Administrative Tribunal dated 5.10.2011. This makes it crystal clear that the petitioner had

completed 240 days of service in a calendar year prior to termination of his services. Therefore, while terminating the services of the petitioner, the provisions of section 25-F would have application.

7. Admittedly, the respondent has not paid retrenchment compensation to the petitioner as provided in clause (b) of section 25-F of the Industrial Disputes Act, 1947. The provisions of this clause are mandatory as held by the Hon'ble Supreme Court in case reported in **(2008) 13 SCC 248 case titled as Rajasthan Lalit Kala Academy Vs. Radhey Shyam**. The respondents have not afforded clause (b) of section 25-F to the petitioner therefore, retrenchment is bad in the eyes of law entitling him to relief.

8. The petitioner had been in employment of the respondents since 1993. The employment was continuous per order of the Learned Administrative Tribunal dated 5.10.2001 whereby he was not paid back wages. The termination of the petitioner was illegal therefore, the petitioner is entitled to back wages as has been observed by the Hon'ble High Court in the order dated 3.5.2011.

9. The plea of abandonment of job by the petitioner is not established. There is no iota of evidence on record which could go to show that the petitioner left the job on his own as no notice or letter regarding the abandonment of the job by the petitioner is placed on record by the respondent. In the absence of such record, inference cannot be drawn that the petitioner abandoned the job. Reliance is placed on decision reported in **AIR 1979 SC 582 case titled as G.T Lad and others Vs. Chemicals and Fibers India Ltd.** where it was held that:

“From the connotations reproduced above it clearly follows that to constitute abandonment, there must be total or complete giving up of duties so as to indicate an intention not to resume the same. In Buckingham Co. v. Venkatiah (1964) 4 SC R 265: (AIR 1964 SC 1272), it was observed by this Court that under common law an inference that an employee has abandoned or relinquished service is not easily drawn unless from the length of absence and from other surrounding circumstances an inference to that effect can be legitimately drawn and it can be assumed that the employee intended to abandon service. Abandonment or relinquishment of service is always a question of intention, and normally, such an intention cannot be attributed to an employee without adequate evidence in that behalf. Thus whether there has been a voluntary abandonment of service or not is a question of fact which has to be determined in the light of the surrounding circumstances of each case.”

10. The respondent has also not followed the principle of last come first go. S/Shri Dila Ram, Ved Prakash and Bhagat Ram who were junior to the petitioner are still working with the respondent. S/Shri Dila Ram, Ved Prakash and Bhagat Ram per Ex. RPA were engaged on 26.12.1986, 27.11.1989 and 21.1.1990 that is after the engagement of the petitioner. There is violation of the provisions of section 25-G and 25-H of the Industrial Disputes Act, 1947 which also entitles the petitioner to relief. Reliances may also be placed on decision reported in **2007 LLR 72 SC in case titled as State of Haryana Vs. Dilbag Singh** and **2011 LLR 107 (P and H) in case titled as Deepak Kumar Gaur Vs. State of Haryana**.

11. Thus, it is evident that the petitioner had completed continuous service of 240 days in a calendar year and his juniors S/Shri Dila Ram, Ved Prakash and Bhagat Ram are still working with the respondent. The termination of the services of the petitioner by the respondent in such circumstances is violation of the provisions of section 25-F, 25-G and 25-H of the Industrial Disputes Act. This issue is answered in favour of the petitioner.

Issue No. 2 :

12. The termination of services of the petitioner by the respondent is illegal and unjustified and the petitioner is entitled to reinstatement in service alongwith seniority and continuity. The petitioner is not entitled to back wages as he has not placed any material on record to substantiate that he was not gainfully employed. This issue is partly answered in favour of the petitioner.

Relief

In the result, the reference is answered in affirmative. Consequently, petitioner is held entitled for reinstatement in service with seniority and continuity with effect from the date of his termination but without back wages. Let a copy of this award be sent to the appropriate government for publication in official gazette. File, after completion, be consigned to records.

Announced in the open court today on this 30th day of June, 2011 in the presence of parties counsel.

D. K. SHARMA,
Presiding Judge,
Industrial Tribunal-cum-Labour Court, Shimla.

IN THE COURT OF D.K SHARMA, PRESIDING JUDGE, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SHIMLA, (H.P).

Ref No. 27 of 2007.

Instituted on. 19.3.2007.

Decided on 31.5.2011.

Udho Ram S/o Shri Govind Ram R/o Dhabighat Dawerry Line, Kanhyal Niwas, Lower Phagli, Shimla-4. ..Petitioner.

Vs.

The Commissioner, Municipal Corporation, Shimla, H. P.

.. Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947

For petitioner :- Shri T. C. Sharma, Advocate.

For respondent :- Shri Himender Chandel, Advocate.

AWARD

The following reference has been received from appropriate government for adjudication:

“Whether the termination of services of Shri Udho Ram S/o Shri Govind Ram workman by the Commissioner, Municipal Corporation Shimla H.P w.e.f. 19.11.1999 without complying the provisions of the Industrial Disputes Act, 1947 is proper and justified? If not, what relief of service benefits the above aggrieved workman is entitled to?”

1. It is averred that the petitioner was engaged as a beldar by the respondent on 4.1.1999. The petitioner has completed 240 days in a calendar year for the application of section 25N of the Industrial Disputes Act, 1947. However, the services of the petitioner were dispensed with without complying the provisions of Industrial Disputes Act. It is also alleged that while dispensing with the services of the petitioner, the principle of last come first go was also not followed.

2. The claim is opposed by the respondent on legal objections regarding cause of action and maintainability. On merits, it is stated that the petitioner has worked upto 17.11.1999 on daily wages. The petitioner abandoned the job on his own. The dispute was not covered under the provisions of Industrial Disputes Act.

3. On the pleadings of the parties, following issues were framed:-

1. Whether the termination of services of Shri Udho Ram petitioner by the Commissioner, M.C. Shimla w.e.f. 19-11-1999 without complying the provisions of the Industrial Disputes Act, 1947 is improper and unjustified as alleged? OPP.

2. If issue no.1 is proved, to what relief of service benefits the petitioner is entitled to? OPP.

3. Whether the claim is not maintainable in the present form? OPR.

4. Relief.

4. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:

Issue No. 1 Yes.

Issue No. 2 Entitled for reinstatement with seniority and continuity in service but without back wages.

Issue No.3 No.

Relief. Reference answered in affirmative per operative part of award.

Reasons for findings

Issue No.1 :

5. It is made out from the statements of petitioner Udho Ram (PW-2), Neter Singh (PW-1) and (PW-3) Nikram Singh Thakur, posted as Junior Engineer, M.C Shimla, who also appeared as RW-1, that the petitioner had completed 240 days of service during the relevant period that is between 4.1.1999 to 17.11.1999 when according to him, the services were terminated. Thus, he was entitled for the protection of section 25N of the Act. However, since he was not served with three month's notice, the retrenchment is bad in the eyes of law entitling him to relief.

6. The plea of abandonment of job by the petitioner is not established. There is no iota of evidence on record which could go to show that the petitioner left the job on his own as no notice or letter regarding the abandonment of the job by the petitioner is placed on record by the respondent. In the absence of such record, inference cannot be drawn that the petitioner abandoned the job. Reliance is placed on decision reported in **AIR 1979 SC 582 case titled as G.T Lad and others Vs. Chemicals and Fibers India Ltd.** where it was held that:

"From the connotations reproduced above it clearly follows that to constitute abandonment, there must be total or complete giving up of duties so as to indicate an intention not to resume the same. In Buckingham Co. v. Venkatiah (1964) 4 SC R 265: (AIR 1964 SC 1272), it was observed by this Court that under common law an inference that an employee has abandoned or relinquished service is not easily drawn unless from the length of absence and from other surrounding circumstances an inference to that effect can be legitimately drawn and it can be assumed that the employee intended to abandon service. Abandonment or relinquishment of service is always a question of intention, and normally, such an intention cannot be attributed to an employee without adequate evidence in that behalf. Thus whether there has been a voluntary abandonment of service or not is a question of fact which has to be determined in the light of the surrounding circumstances of each case."

7. The respondent has also not followed the principle of last come first go. Shri Ramesh Kumar who was junior to the petitioner is still working with the respondent. It is also admitted by Shri Nikram Singh Thakur (PW-3) that as per Ex. PW-3/A Shri Ramesh Kumar engaged on 21.1.1999 that is after the engagement of the petitioner was still working with the respondent. There is violation of the provisions of section 25G and H of the Industrial disputes Act, 1947 which also entitles the petitioner to relief. Reliance may also be placed on decision reported in **2007 LLR 72 SC in case titled as State of Haryana Vs. Dilbag Singh** and **2011 LLR 107 (P and H) in case titled as Deepak Kumar Gaur Vs. State of Haryana.**

8. Thus, it is evident that the petitioner had completed continuous service of 240 days in a calendar year and his junior Shri Ramesh Kumar is still working with the respondent. The termination of the services of the petitioner by the respondent in such circumstances is violation of the provisions of section 25-N, 25-G and 25-H of the Industrial Disputes Act. This issue is answered in favour of the petitioner.

Issue No. 2:

9. The termination of services of the petitioner by the respondent is illegal and unjustified and the petitioner is entitled to reinstatement in service alongwith seniority and continuity. The petitioner is not entitled to back wages as he has not placed any material on record to substantiate that he was not gainfully employed. This issue is partly answered in favour of the petitioner.

Issue No. 3 :

10. The petitioner as held on findings on issue no.1 is entitled to reinstatement. The claim filed by him as such is maintainable. This issue is answered in favour of the petitioner.

Relief :

In the result, the reference is answered in affirmative. Consequently, petitioner is held entitled for reinstatement in service with seniority and continuity with effect from the date of his termination but without back wages. Let a copy of this award be sent to the appropriate government for publication in official gazette. File, after completion, be consigned to records.

Announced in the open court today on this 31st day of May, 2011 in the presence of parties counsel.

D. K. SHARMA,
Presiding Judge,
Industrial Tribunal-cum-Labour Court, Shimla.

IN THE COURT OF D.K SHARMA, PRESIDING JUDGE, INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, SHIMLA, (H. P).

Ref No. 55 of 2007.

Instituted on. 27.6.2007.

Decided on 30.6.2011.

Lekh Ram S/o Shri Shiv Ram R/o Village Neri, P.O Kuthar (Krishangarh), Tehsil Kasauli,
District Solan, H.P. . . Petitioner.

Vs.

The Executive Engineer, I & PH Division, Arki, District Solan, H. P. . . Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947

For petitioner :- Shri Virender Thakur, Advocate.

For respondent :- Shri Jagdish Kanwar, Dy. DA.

AWARD

The following reference has been received from appropriate government for adjudication:

“Whether the termination of services of Shri Lekh Ram S/o Shri Shiv Ram workman by the Executive Engineer, I & PH Division, Arki, District Solan, H.P. w.e.f. 01.07.1998 without complying the provisions of the Industrial Disputes Act, 1947 as alleged by the workman is proper and justified? If not, what relief of service benefits and amount of compensation, the above aggrieved workman is entitled to?”

1. It is averred that the petitioner was engaged as daily waged beldar in the year, 1994 in Sub Division Sabathu with the respondent. The petitioner has completed 240 days in a calendar year for the application of section 25-F of the Industrial Disputes Act, 1947 (hereinafter referred to as an Act). However, the services of the petitioner were dispensed with without complying the provisions of Act. It is also alleged that while dispensing with the services of the petitioner “the principle of last come first go” was also not followed. While making fresh recruitments, the petitioner was not called to resume duties while making fresh recruitments.

2. The claim is opposed by the respondent on legal objections regarding maintainability and limitation. On merits, it is stated that the petitioner was engaged as daily waged beldar on 89 days basis on 21.9.1995 and worked as such as per mandays chart filed with the reply as annexure A. It is further alleged that the petitioner was irregular worker and usually remained absent. The petitioner left/abandoned the job on his own after 28.6.1998 and never contacted the respondent for engagement nor gave any representation. The petitioner never worked for 240 days in any calendar year. S/Shri Geeta Ram and Kripa Ram were engaged in the department on 1.4.1997 and 1.12.1997 due to urgency of work. Shri Bir Singh was engaged on 1.4.1995. The above mentioned workers remained continue in service. The petitioner was deputed on work alongwith Hari Prakash and Dhyan Singh for the period 1.6.1998 to 30.6.1998. S/Shri Hari Prakash and Dhyan Singh also deputed on work for the period 1.7.1998 to 31.7.1998 alongwith Shri Gopal Krishan who was also irregular and was senior to the petitioner. The work was available for the period 1.7.1998 to 31.7.1998 to the petitioner but he did not join.

3. On the pleadings of the parties, following issues were framed:-

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1. Whether the services of the petitioner were terminated illegally as alleged? OPP.
2. If issue no.1 is proved in affirmative, to what service benefits and amount of compensation, the petitioner is entitled to? OPP.
3. Whether this petition is bad for delay and latches? OPR.
4. Relief.
4. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:

<i>Issue No.1</i>	Yes.
<i>Issue No.2</i>	Entitled for reinstatement with seniority and continuity in service but without back wages.
Issue No.3	No.

Relief. Reference answered in affirmative per operative part of award.

Reasons for findings

Issue No. 1 :

5. It is apparent from the testimony of the petitioner that in fact he was engaged on 21.9.1995 and not in the year 1994. He was retrenched on 28.6.1998. He had completed only 80 days, 187 days, 168 days and 95 days in the years, 1995, 1996, 1997 and 1998 as per mandays chart Ex. RW-1/A. The petitioner had not completed 240 days of service in a calendar year to seek the protection of section 25-f of the Act. The respondent has not followed the principle of last come first go. S/Shri Geeta Ram and Kripa Ram who were junior to the petitioner are still working with the respondent. Shri Ramesh Kumar, Assistant Engineer, I and PH Sub Division Sabathu has testified that S/Shri Geeta Ram and Kripa Ram were engaged on 1.4.1997 and 1.12.1997 per mandays chart Ex. RW-1/B, that is, after the engagement of the petitioner., There is violation of provisions of sections 25-G and 25-H of the Act which also entitles the petitioner to relief. Reliance may also be placed on decision reported in **2007 LLR 72 SC in case titled as State of Haryana Vs. Dilbag Singh** and **2011 LLR 107 (Pand H) in case titled as Deepak Kumar Gaur Vs. State of Haryana.**

6. The plea of abandonment of job by the petitioner is not established. The testimony of RW-1 Shri Ramesh Kumar that muster roll no. 114 for the period 1.7.1998 to 31.7.1998 about engagement of three workers was issued by the department and only S/Shri Hari Prakash and Dhyan Singh turned up for job and the petitioner did not turn up is not fortified by any notice or letter regarding the abandonment of job by the petitioner. In the absence of such record, inference cannot be drawn that the petitioner abandoned the job. Reliance is placed on decision reported in **AIR 1979 SC 582 case titled as G.T Lad and others Vs. Chemicals and Fibers India Ltd.** where it was held that:

“From the connotations reproduced above it clearly follows that to constitute abandonment, there must be total or complete giving up of duties so as to indicate an intention not to resume the same. In Buckingham Co. v. Venkatiah (1964) 4 SC R 265: (AIR 1964 SC 1272), it was observed by this Court that under common law an inference that an employee has abandoned or relinquished service is not easily drawn unless from the length of absence and from other surrounding circumstances an

inference to that effect can be legitimately drawn and it can be assumed that the employee intended to abandon service. Abandonment or relinquishment of service is always a question of intention, and normally, such an intention cannot be attributed to an employee without adequate evidence in that behalf. Thus whether there has been a voluntary abandonment of service or not is a question of fact which has to be determined in the light of the surrounding circumstances of each case.”

8. Thus, it is evident that juniors to petitioner S/Shri Kripa Ram and Geeta Ram are still working with the respondent and as such the termination of the services of the petitioner by the respondent in such circumstances is violation of the provisions of sections 25-G and 25-H of the Industrial Disputes Act. This issue is answered in favour of the petitioner.

Issue No. 2 :

9. The termination of services of the petitioner by the respondent is illegal and unjustified and the petitioner is entitled to reinstatement in service alongwith seniority and continuity. The petitioner is not entitled to back wages as he has not placed any material on record to substantiate that he was not gainfully employed. This issue is partly answered in favour of the petitioner.

Issue No. 3 :

10. The petitioner as held on findings on issue no.1 is entitled to reinstatement. **This issue is answered** in favour of the petitioner.

Relief :

In the result, the reference is answered in affirmative. Consequently, petitioner is held entitled for reinstatement in service with seniority and continuity with effect from the date of his termination but without back wages. Let a copy of this award be sent to the appropriate government for publication in official gazette. File, after completion, be consigned to records.

Announced in the open court today on this 30th day of June, 2011 in the presence of parties counsel.

D.K SHARMA,
Presiding Judge,
Industrial Tribunal-cum-Labour Court, Shimla.

IN THE COURT OF D.K SHARMA, PRESIDING JUDGE, INDUSTRIAL TRIBUNAL-CUML-ABOUR COURT, SHIMLA, (H.P).

Ref No. 58 of 2009
Instituted on. 17.8.2009 .
Decided on. 30.6.2011.

Mohinder Singh S/o Shri Narainu, through his counsel Shri R.D Kaundal, Advocate H.P
High court, Shimla-1, Ashirbad Cottage, Sanjauli, Shimla-6. . . Petitioner.

Vs.

M/s S.R Forging Ltd. Jharmajari, Barotiwala Tehsil Nalagarh District Solan, H.P. . . Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947

For petitioner :- Shri R.D Kaundal, Advocate.

For respondents :- Already ex parte.

AWARD

The following reference has been received from appropriate government for adjudication:

“Whether contention of Shri Mohinder Singh, workman through his counsel Shri R.D Kaundal, Advocate, H.P High Court, Shimla-1, Ashirbad Cottage, Sanjauli Shimla-6 before the Management of S.R Forging Ltd. Jharmajari, Barotiwala Tehsil Nalagarh District Solan for the payment of interest @18% for delaying implementation of recovery certificate issued on 6.9.2001 for 4 years and 4 months in respect of award dated 15.12.1997 of Hon’ble Labour Court, Shimla is proper and justified? If yes, what relief the aggrieved workman is entitled to from above management ?”

1. It is averred that the petitioner had served as daily waged Chowkidar under M/s S.R Forging Ltd. Jharmajari, Barotiwala Tehsil Nalagarh District Solan, H.P during the period 15.10.1985 to 23.1.1992. The petitioner rendered 240 days of service in each calendar year before his retrenchment in violation of the provisions of Industrial disputes Act. The reference was made to this court on dispute being raised by the petitioner was answered in his favour per award dated 15.12.1997. The petitioner was issued recovery certificate to the tune of Rs. 95,629/- on account of back wages vide letter dated 6.9.2001 by Labour commissioner, Shimla. The respondent no.1 delayed the implementation of recovery certificate for four years and four months. The petitioner filed an application under section 33-C of Industrial Dispute for grant of interest @ 18%. On direction by this court, the petitioner approached the Labour Commissioner for issuance of recovery certificate. The Labour Commissioner has made said reference to this Court.

2. On appraisal letter dated 6.9.2001 addressed by Labour Commissioner, Shimla to Collector Solan, it is apparent that a sum of Rs. 95,629/- found outstanding against the petitioner on account of back wages awarded per award passed by this Court.

3. It was incumbent upon the Collector to have initiated proceedings for recovery against respondent no.1 and ensure payment. However, there was inordinate delay in execution of the order. The circumstances, under which the delay has been caused has not been explained. The petitioner has not been able to spell out as to how the respondent no.1 was at fault in implementation of the award. Claim of the petitioner for grant of interest @ 18% for the intervening period of four years and four months is not tenable. The petitioner has also filed CWP No. 248 of 2004 before the Hon’ble High Court. The Hon’ble High Court disposed of the petition on 2.5.2005 as follows:-

“Pursuant to the award passed by the Labour Court on 15th December, 1997, apparently respondent no.2 issued a certificate on 16th July, 2001 in terms of section 33-C(1) of the Industrial Disputes Act, 1947. The copy of certificate apparently does appear to have been marked to respondent no.3, but the petitioner’s grievance in this petition is that respondent no.3 has not taken any steps in the direction of executing the award passed by the Labour Court on 15th December, 1997 despite the aforesaid certificate issued on 16th July, 2001. We do not know the circumstances under which respondent no.3 may or may not have executed the award but the facts which are spelt out in the case do indicate that even the petitioner did not take any steps in approaching respondent no.3 with a request for execution of the award.

Without doing that, the petitioner has rushed to this Court which we not appreciate or approve.

Rased on the aforesaid observations, we dispose of the petition with liberty to the petitioner to approach respondent no.3 with a request to execute the award in terms of the provisions contained in the Industrial Disputes Act, 1947. If the petitioner does so within one month from today, we direct respondent no.3 to do the needful and take all steps in the direction of execution of the award as expeditiously as possible and without any delay whatsoever.”

4. The aforesaid order also makes it clear that the petitioner had attributed failure to implement award to the Collector, Solan who was respondent no.3 in the petition and not to the respondent no.1 M/s S.R Forging Ltd. Jharmajari, Barotiwala Tehsil Nalagarh District Solan, H.P. The recovery was to be effected by Collector, Solan from respondent no.1 and the delay, if any, has been caused on behalf of the Collector, Solan and not respondent no.1, so, no industrial dispute exists between the petitioner and respondent no.1 in this context. The dispute in this case is not in the nature of Industrial Dispute. Section 2-A (i) of the Industrial Disputes defines as follows:-

“In relation to any industrial dispute concerning 1[* * *] any industry carried on by or under the authority of the Central Government, 2[* * *] or by a railway company 3[or concerning any such controlled industry as may be specified in this behalf by the Central Government] 4[* * *] or in relation to an industrial dispute concerning 5[6[7[8[a Dock Labour Board established under section 5A of the Dock Workers (Regulation of employment) Act; 1948 (9 of 1948), or 9[the Industrial Finance Corporation of India Limited formed and registered under the Companies Act, 1956 (1 of 1956)] or the Employees' State Insurance Corporation established under section 3 of the Employees State Insurance Act, 1948 (34of 1948), or the Board of Trustees constituted under section 3A of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), or the Central Board of Trustees and the State Boards of Trustees constituted under section 5A and section 5B, respectively, of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), 10[* * *], or the Life Insurance Corporation of India established under section 3 of the Life Insurance Corporation Act, 1956 (31 of 1956), or 9[the Oil and Natural Gas Corporation Limited registered under tile Companies Act, 1956 (1 of 1956)], or the Deposit insurance and Credit Guarantee Corporation established under section 3 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (47 of 1961), or the Central Warehousing Corporation established under section 3 of tile Warehousing Corporations Act, 1962 (58 of 1962), or the Unit Trust of India established under section 3 of the Unit Trust of India Act, 1963 (52 of 1963), or the Food Corporation of India established under section 3, or a Board of Management established for two or more contiguous States under section 16 of the Food Corporations Act, 1964 (37 of 1964), or 9[the Airports Authority of India constituted under section 3 of the Airports Authority of India Act, 1994 (55 of 1994)], or a Regional Rural Bank established under section 3 of the Regional Rural Banks Act, 1976 (21 of 1976),or the Export Credit and Guarantee Corporation Limited or the Industrial Reconstruction Bank of India Limited], 11[the National Housing Bank established under section 3 of the National Housing Bank Act, 1987 (53 of 1987)], or 12[9[an air transport service, or a banking or an insurance company], a mine, an oil-field,] 13[a Cantonment Board,] or a major port, The central Government.

The aforesaid provision makes it clear that dispute or difference between workman and employer connected with, or arising out of, such discharge, dismissal, retrenchment or termination shall be deemed to be an industrial dispute. The dispute which was referred earlier and had already been decided was industrial dispute. The dispute in this case has also not been raised by the workman and is figment of imagination of Shri R.D Kaundal, Advocate.

On the aforesaid score, the petitioner has not been established that there is any industrial dispute and the award was not intentionally impleaded due to failure of respondent no.1 (M/s S.R Forging Ltd) The petitioner is not entitled to recover interest to the tune of Rs. 68,000/- including litigation cost of Rs. 8,000/- from respondent no.1.

Relief.

In the result, the reference is answered in negative. Consequently, petitioner is not held entitled to recover interest to the tune of Rs. 68,000/- including litigation cost of Rs. 8,000/- from respondent no.1. Let a copy of this award be sent to the appropriate government for publication in official gazette. File, after completion, be consigned to records.

Announced in the open court today on this 30th day of June, 2011 in the presence of parties counsel.

D. K SHARMA,
Presiding Judge,
Industrial Tribunal-cum-Labour Court, Shimla.

Ref.105/2009

Sh Rajesh Kumar V/s Pyaranid Electronics Parwanoo.
3.6.2011

Present:- Sh Niranjan Verma ,Advocate for petitioner.
Sh Satish Kumar ,AR for the respondent.

Heard. The parties have arrived at lawful compromise. The respondent has made payment of compensation of Rs.3,701/- after adjusting amount of advance to the petitioner by way of cheque no.813032. The cheque has been handed over to the counsel for the petitioner by the Authorized Representative of the respondent today before this Court. The dispute between the parties as such stands settled in terms of settlement and the reference is answered accordingly. Let a copy of this award be sent to the appropriate government for publication in the official gazette. File , after completion , be consigned to records.

Announced.
3.6.2011.

Sd/-
Presiding Judge,
Labour Court, Shimla.

लोक निर्माण विभाग

शुद्धि पत्र

शिमला—2, 25 अगस्त, 2011

सं० पी०बी०डब्ल्यू० (बी०)एफ(५) ९७/२००९.—इस विभाग द्वारा दिनांक २४-०६-२०११ को जारी भू-अर्जन अधिनियम १८९४ की धारा ६ व ७ के अन्तर्गत समसंख्यक अधिसूचना (गांव शामती, तहसील व जिला सोलन) में खसरा न० १४०/१०६/१ का रकवा “०-१२ बीघा” के स्थान पर खसरा न० १४०/१०६/१ का रकवा “०-२ बीघा” पढ़ा जाए ।

आदेश द्वारा,
हस्ताक्षरित /—
प्रधान सचिव (लोक निर्माण)।

हिमाचल प्रदेश विधान सभा सचिवालय

अधिसूचना

शिमला—4, 25 अगस्त, 2011

संख्या : वि० स०—वि०—सरकारी विधेयक/१—३९/२०११।—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के अन्तर्गत हिमाचल प्रदेश अग्रक्रय (निरसन) विधेयक, 2011 (2011 का विधेयक संख्यांक 18) जो आज दिनांक 25 अगस्त, 2011 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्वसाधारण की सूचनार्थ राजपत्र में मुद्रित करने हेतु प्रेषित किया जाता है।

आदेश द्वारा,
गोवर्धन सिंह,
सचिव,
हिमाचल प्रदेश विधान सभा।

2011 का विधेयक संख्यांक 18

हिमाचल प्रदेश अग्रक्रय (निरसन) विधेयक, 2011

(विधान सभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश अग्रक्रय अधिनियम, 2010 (2011 का अधिनियम संख्यांक 10) का निरसन करने के लिए **विधेयक** ।

भारत गणराज्य के बासठवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो:—

१. संक्षिप्त नाम।—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश अग्रक्रय (निरसन) अधिनियम, 2011 है।

२. निरसन और व्यावृत्तियां।—(१) हिमाचल प्रदेश अग्रक्रय अधिनियम, 2010 (2011 का 10) का एतद्वारा निरसन किया जाता है:

परन्तु ऐसा निरसन—

(क) इस प्रकार निरसित अधिनियम के अधीन की गई किसी बात या की गई किसी कार्रवाई;

(ख) इस प्रकार निरसित अधिनियम के अधीन पारित किसी डिक्री और जो अंतिम हो गई हो;

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- (ग) इस प्रकार निरसित अधिनियम के अधीन किए गए निक्षेप के प्रतिदाय हेतु किसी दावे या दी गई किसी प्रतिभूति; या
- (घ) इस प्रकार निरसित अधिनियम के अधीन लागत के निर्वहन में उपगत किसी व्यय को, प्रभावित नहीं करेगा।
- (2) ऐसे निरसन के होते हुए भी इस प्रकार निरसित अधिनियम के अधीन, निष्पादन कार्यवाहियों सहित समस्त दावे, अपीलें और अन्य कार्यवाहियां, जो किसी न्यायालय या अपीलीय या पुनरीक्षण प्राधिकारी के समक्ष लंबित हैं, इस प्रकार निरसित अधिनियम के उपबन्धों के अनुसार निपटाई जाएंगी, मानो यह अधिनियम निरसित न किया गया हो।
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उद्देश्यों और कारणों का कथन

हिमाचल प्रदेश अग्रक्रय अधिनियम, 2010 (2011का अधिनियम संख्यांक 10) को हिमाचल प्रदेश राज्य में सह-अंशधारियों और किराएदारों को अग्रक्रय के अधिकार का उपबन्ध करने के उद्देश्य से अधिनियमित किया गया था।

उप रजिस्ट्रार की शक्तियों का प्रयोग करने वाले राजस्व अधिकारियों ने विभिन्न बैठकों में यह अवगत करवाया है कि जनसाधारण को उपरोक्त अधिनियमिति के कारण विशेषकर उन मामलों में जहां बहुत से सह-अंशधारी हैं कठिनाई आ रही है और उन में से एक या कुछ प्रतिकूल परिस्थितियों द्वारा अपनी भूमि का विक्रय करने के लिए वाध्य होते हैं। राजस्व अधिकारियों ने यह भी अवगत करवाया है कि यह अधिनियम न केवल इसमें निहित की प्राप्ति में असफल हुआ है, अपितु जनसाधारण के लिए समस्याएं उत्पन्न कर दी है। इस अधिनियम ने, राज्य के किसानों में बहुविध मुकदमेंबाजी की अधिसंभव्यता को बढ़ा दिया है। इसलिए, उपर्युक्त अधिनियम को निरसित करने का विनिश्चय किया गया है।

यह विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।

(ठाकुर गुलाब सिंह)
प्रभारी मन्त्री।

शिमला:

तारीख: 2011

वित्तीय ज्ञापन

—शून्य—

प्रत्यायोजित विधान सम्बन्धी ज्ञापन

—शून्य—

*AUTHORITATIVE ENGLISH TEXT***Bill No. 18 of 2011.****THE HIMACHAL PRADESH PRE-EMPTION (REPEAL) BILL, 2011**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

to repeal the Himachal Pradesh Pre-emption Act, 2010 (Act No.10 of 2011).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixty-second Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Himachal Pradesh Pre-emption (Repeal) Act, 2011.

2. Repeal and Savings.—(1) The Himachal Pradesh Pre-emption Act, 2010 (10 of 2011) is hereby repealed:

Provided that such repeal shall not affect—

- (a) anything done or any action taken under the Act so repealed;
- (b) any decree which has been passed under the Act so repealed and has become final;
- (c) any claim for the refund of the deposit made or a security furnished under the Act so repealed; or
- (d) any expenditure incurred in the discharge of cost under the Act so repealed.

(2) Notwithstanding such repeal, all suits, appeals and other proceedings, including execution proceedings under the Act so repealed, pending before any court or appellate or revisional authority, shall be disposed off in accordance with the provisions of the Act so repealed, as if the Act has not been repealed.

STATEMENT OF OBJECTS AND REASONS

The Himachal Pradesh Pre-emption Act, 2010 (Act No. 10 of 2011) was enacted with the objective to provide for right of pre-emption to the co-sharers and tenants in the State of Himachal Pradesh. In various meetings, the Revenue Officers exercising the powers of Sub-Registrars have apprised that the general public is facing hardships due to aforesaid enactment more particularly in those cases where there are numerous co-sharers and one or some of them are compelled by adverse circumstances to sell their land. The Revenue Officers have also apprised that this Act has failed to achieve the objective behind it, but has rather caused problems to general public. This Act has increased the probability of manifold litigations amongst farmers of the State. Thus, it has been decided to repeal the Act ibid.

This Bill seeks to achieve the aforesaid objectives.

(THAKUR GULAB SINGH)

Minister-in-Charge.

SHIMLA:

The, 2011.

FINANCIAL MEMORANDUM

—NIL—

MEMORANDUM REGARDING DELEGATED LEGISLATION

—NIL—

हिमाचल प्रदेश विधान सभा सचिवालय

अधिसूचना

शिमला-4, 25 अगस्त, 2011

संख्या : वि० स०-वि०-सरकारी विधेयक/1-41/2011.—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के अन्तर्गत हिमाचल प्रदेश भू-राजस्व (संशोधन) विधेयक, 2011 (2011 का विधेयक संख्यांक 20) जो आज दिनांक 25 अगस्त, 2011 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्वसाधारण की सूचनार्थ राजपत्र में मुद्रित करने हेतु प्रेषित किया जाता है।

आदेश द्वारा,
गोवर्धन सिंह,
सचिव,
हिमाचल प्रदेश विधान सभा।

हिमाचल प्रदेश भू-राजस्व (संशोधन) विधेयक, 2011

(विधान सभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश भू-राजस्व अधिनियम, 1954 (1954 का अधिनियम संख्यांक 6) का और संशोधन करने के लिए विधेयक।

भारत गणराज्य के बासठवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो:—

1. संक्षिप्त नाम।—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश भू-राजस्व (संशोधन) अधिनियम, 2011 है।

2. धारा 34 का संशोधन।—हिमाचल प्रदेश भू-राजस्व अधिनियम, 1954 (जिसे इसमें इसके पश्चात् “मूल अधिनियम” कहा गया है) की धारा 34 में,—

(क) उपधारा (1) में, “प्रत्येक सम्पदा के पटवारी से” शब्दों के स्थान पर “प्रत्येक सम्पदा के सम्बद्ध राजस्व अधिकारी से” शब्द रखे जाएंगे।

(ख) उपधारा (3) में, “प्रत्येक सम्पदा के पटवारी” शब्दों के पश्चात् “और राजस्व अधिकारी” शब्द अन्तःस्थापित किए जाएंगे।

3. धारा 35 का संशोधन।—मूल अधिनियम की धारा 35 में,—

(क) उपधारा (1) में, “पटवारी” शब्द के पश्चात् “या सम्बद्ध राजस्व अधिकारी” शब्द अन्तःस्थापित किए जाएंगे;

(ख) उपधारा (2) में, “पटवारी” शब्द के पश्चात् “या सम्बद्ध राजस्व अधिकारी” शब्द अन्तःस्थापित किए जाएंगे;

(ग) उपधारा (3) में, “पटवारी” शब्द के स्थान पर “यथास्थिति, पटवारी या राजस्व अधिकारी” शब्द रखे जाएंगे; और

(घ) उपधारा (5) में, “पटवारी” शब्द के पश्चात् “या राजस्व अधिकारी” शब्द अन्तःस्थापित किए जाएंगे;

उद्देश्यों और कारणों का कथन

हिमाचल प्रदेश भू-राजस्व अधिनियम, 1954 की धारा 34, वित्तायुक्त द्वारा बनाए गए नियमों के अनुसार पटवारी द्वारा अधिकार-अभिलेख के कालिक अद्यतन के लिए उपबन्ध करती है और इस के प्रयोजन के लिए, कलक्टर प्रत्येक सम्पदा के पटवारी द्वारा नामांतरणों का रजिस्टर और ऐसे अन्य रजिस्टर रखवाएगा जैसे वित्तायुक्त द्वारा नियमों के द्वारा विहित किए जाएं। इसके अतिरिक्त पूर्वोक्त अधिनियम की धारा 35, व्यक्ति द्वारा नामांतरण रजिस्टर में नामांतरण प्रविष्ट करवाने और राजस्व अधिकारी द्वारा उसका सत्यापन करवाने के लिए किसी सम्पदा में भू-स्वामी आदि के रूप में किन्हीं अधिकारों को अर्जित करने हेतु अपनाई जाने वाली प्रक्रिया के लिए उपबन्ध करती है। अधिकार-अभिलेख के अद्यतन और नामांतरण के सत्यापन की प्रक्रिया को सरल करने हेतु यह प्रस्तावित किया गया है कि आवेदक को, विनिर्दिष्ट रजिस्ट्रीकृत दस्तावेजों के आधार पर, नामांतरण को या तो तहसील कार्यालय में या पटवार वृत्त, जैसा वह चाहे, पर प्रविष्ट करवाने और सत्यापित

करवाने हेतु एक विकल्प देने का उपबन्ध किया जाए। यह प्रत्याशा की जाती है कि जहां एक तरफ यह नामांतरण मामलों के त्वरित निष्पादन को सुनिश्चित करेगा और दूसरी तरफ आम जनता को प्रविलंबन (राहत) भी उपलब्ध करवाएगा। इसलिए उपर्युक्त अधिनियम में संशोधन करना आवश्यक हो गया है।

यह विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।

(ठाकुर गुलाब सिंह)
प्रभारी मन्त्री।

शिमला:

तारीख:....., 2011

वित्तीय ज्ञापन

—शून्य—

प्रत्यायोजित विधान सम्बन्धी ज्ञापन

—शून्य—

AUTHORITATIVE ENGLISH TEXT

Bill No. 20 of 2011

THE HIMACHAL PRADESH LAND REVENUE (AMENDMNT) BILL, 2011

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

further to amend the Himachal Pradesh Land Revenue Act, 1954 (Act No. 6 of 1954).

BE it enacted by the Legislative Assembly of the Himachal Pradesh in the Sixty-second Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Himachal Pradesh Land Revenue (Amendment) Act, 2011.

2. Amendment of section 34.—In section 34 of the Himachal Pradesh Land Revenue Act, 1954 (hereinafter referred to as ‘the principal Act’),-

- (a) in sub-section (1), for the words “by the Patwari of each estate” the words “by the Revenue Officer concerned for each estate” shall be substituted; and

- (b) in sub-section (3), after the words “each estate”, the words “and the Revenue Officer” shall be inserted.

3. Amendment of section 35.—In section 35 of the principal Act,-

- (a) in sub-section (1), after the words “of the estate”, the words “or the Revenue Officer concerned” shall be inserted;
- (b) in sub-section (2), after the words “to the patwari”, the words “or the Revenue Officer concerned” shall be inserted;
- (c) in sub-section (3), after the words “The patwari”, the words and signs “or the Revenue Officer, as the case may be,” shall be inserted; and
- (d) in sub-section (5), after the words “to the patwari”, the words “or the Revenue Officer” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Section 34 of the Himachal Pradesh Land Revenue Act, 1954 provides for periodical updation of record-of-rights by the Patwari in accordance with the rules made by the Financial Commissioner and for this purpose, the Collector shall cause to be kept by the Patwari of each estate a register of mutations and such other registers as the Financial Commissioner may prescribe by rules. Further, section 35 of the Act ibid provides for the procedure to be followed by the person acquiring any rights in an estate as a land owner etc. for getting the mutation entered in the mutation register and attestation thereof by the Revenue Officer. In order to simplify the procedure for up-dation of record-of-rights and attestation of mutation, it has been proposed to provide an option to the applicant to get the mutation entered and attested either at the Tehsil office or at the Patwar Circle as he may desire, on the basis of specified registered documents. It is expected that on the one hand this will ensure speedy disposal of mutation cases and on the other hand, it will also provide a reprieve to the general public. This has necessitated amendments in the Act ibid.

This Bill seeks to achieve the above objectives.

(THAKUR GULAB SINGH)
Minister-in-Charge.

SHIMLA:

The ,2011.

FINANCIAL MEMORANDUM

—NIL—

MEMORANDUM REGARDING DELEGATED LEGISLATION

—NIL—

हिमाचल प्रदेश विधान सभा सचिवालय

अधिसूचना

शिमला—4, 25 अगस्त, 2011

संख्या : वि० स०—वि०—सरकारी विधेयक/१—४०/२०११।—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के अन्तर्गत हिमाचल प्रदेश भू—जोत अधिकतम सीमा (संशोधन) विधेयक, 2011 (2011 का विधेयक संख्यांक 19) जो आज दिनांक 25 अगस्त, 2011 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्वसाधारण की सूचनार्थ राजपत्र में मुद्रित करने हेतु प्रेषित किया जाता है।

आदेश द्वारा,
गोवर्धन सिंह,
सचिव,
हिमाचल प्रदेश विधान सभा।

2011 का विधेयक संख्यांक 19

हिमाचल प्रदेश भू—जोत अधिकतम सीमा (संशोधन) विधेयक, 2011

(विधान सभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश भू—जोत अधिकतम सीमा अधिनियम, 1972 (1973 का अधिनियम संख्यांक 19) का और संशोधन करने के लिए विधेयक।

भारत गणराज्य के बासठवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो:—

1. संक्षिप्त नाम।—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश भू—जोत अधिकतम सीमा (संशोधन) अधिनियम, 2011 है।

2. धारा 5 का संशोधन।—हिमाचल प्रदेश भू—जोत अधिकतम सीमा अधिनियम, 1972 की धारा 5 में, खण्ड (ज) के स्थान पर निम्नलिखित खण्ड रखा जाएगा, अर्थात्:—

“(ज) राज्य सरकार द्वारा यथा अधिसूचित भूमि जो,—

- (i) औद्योगिक इकाई(यों) या जलविद्युत परियोजना(ओं) या पर्यटन इकाई(यों) या सूचना प्रौद्योगिकी स्थल(लों) या बॉयो—तकनीकी स्थल(लों) को स्थापित करने के प्रयोजन के लिए कम्पनी अधिनियम, 1956 के अधीन निगमित किसी कम्पनी;

- (ii) जातिवाद, मदात्यय और नशीली दवाओं के व्यसन आदि के उन्मूलन सहित नैतिक या धर्म—निरपेक्ष शिक्षाओं का प्रचार करने वाले धार्मिक या अध्यात्मिक निकायों या संगठनों या संपर्वतकों; और

- (iii) शैक्षिक और खेल प्रसुविधाओं तथा अवसंरचना का सृजन करने और अनुरक्षण के लिए निकायों या संगठनों;

द्वारा उपर्युक्त विनिर्दिष्ट किसी भी प्रयोजन के वास्तविक उपयोग के लिए, धारित है या किसी भी रीति में धारित की जानी है। यह विचार करते समय कि क्या ऐसी भूमि इस प्रकार धारित है या अर्जित की जानी है राज्य सरकार, पूर्व धारित भूमि जिसके अन्तर्गत पूर्वोक्त प्रयोजनों के उपयोग हेतु पहले से धारित भूमि भी होगी, की सीमा और अवस्थिति यदि कोई हो, और इसके भविष्य के विस्तारण के लिए उपयुक्त आवश्यकता का ध्यान भी रखेगी:

परन्तु यदि राज्य सरकार का, इस खण्ड के अधीन अधिसूचित भूमि की दशा में, समाधान हो जाता है कि भूमि वास्तव में अर्जित नहीं की गई है या उस प्रयोजन के लिए वास्तविक उपयोग में नहीं लाई गई है जिसके लिए, इस खण्ड के अधीन जारी की गई अधिसूचना की तारीख से दो वर्ष की अवधि (या पाँच वर्ष से अनधिक ऐसी विस्तारित अवधि जैसी राज्य सरकार विनिश्चित करे) के भीतर यह भूमि अर्जित या धारित की जानी प्रस्तावित थी, तो राज्य सरकार ऐसी जाँच, जैसी यह उचित समझे, के पश्चात् विहित रीति में प्रकाशित आदेश द्वारा, निदेश दे सकेगी कि आदेश में विनिर्दिष्ट भूमि या उसका कोई भाग, ऐसी तारीख से जैसी आदेश में उल्लिखित है, छूट प्राप्त भूमि नहीं रहेगी।”।

AUTHORITATIVE ENGLISH TEXT

Bill No. 19 of 2011

THE HIMACHAL PRADESH CEILING ON LAND HOLDINGS (AMENDMNT) BILL, 2011

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A BILL

further to amend the Himachal Pradesh Ceiling on Land Holdings Act, 1972 (Act No.19 of 1973).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixty-second Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Himachal Pradesh Ceiling on Land Holdings (Amendment) Act, 2011.

2. Amendment of section 5.—In section 5 of the Himachal Pradesh Ceiling on Land Holdings Act, 1972, for clause (h), the following clause shall be substituted, namely:—

“(h) land as is notified by the State Government being land which is held or to be acquired in any manner, by,-

(i) a Company incorporated under the Companies Act, 1956 for the purpose of setting up of industrial unit(s) or hydel project(s) or tourism unit(s) or information technology park (s) or bio-technology park(s);

(ii) religious or spiritual bodies or organizations or promoters, propagating moral or secular teachings including eradication of casteism, alco-holism and drug addiction etc.; and

(iii) bodies or organizations for creating and maintaining educational and sports facilities and infrastructure;

for bonafide use for any of the above specified purposes. In considering whether such land is so held or to be acquired, the State Government shall have regard to the extent and location of land, if any, already held including any land which it may already hold for use for abovesaid purposes and its genuine requirement for future expansion:

Provided that if the State Government, in the case of land notified under this clause, is satisfied that the land has not been actually acquired or has not been actually put to use for the purpose for which it was proposed to be acquired or hold, within a period of two years (or such extended period not exceeding five years as the State Government may decide) from the date of notification issued under this clause, the State Government may, after making such enquiry as it thinks fit, by order published in the prescribed manner, direct that the land or any part thereof specified in the order shall, with effect from such date as is mentioned in the order, cease to be exempted land."

STATEMENT OF OBJECTS AND REASONS

The Government is inviting investors and entrepreneurs in industries, information technology, bio-technology, tourism and hydel projects etc. in the interest of development of the State but they cannot hold land more than the permissible area specified under section 4 of the Himachal Pradesh Ceiling on Land Holdings Act, 1972, for the purpose of setting up of such project. Further religious and spiritual bodies and organizations promoting moral and secular teaching including eradication of casteism, alcoholism and drug addictions etc. and bodies and organizations creating educational and sports facilities and infrastructure cannot hold land more than permissible area specified under section 4 of the Act ibid. Thus, it has been considered necessary to amend section 5 suitably and to provide exemption to these bodies etc. This has necessitated amendments in the Act ibid.

This Bill seeks to achieve the aforesaid objectives.

(THAKUR GULAB SINGH)
Minister-in-Charge.

SHIMLA:
The , 2011.

FINANCIAL MEMORANDUM

—NIL—

MEMORANDUM REGARDING DELEGATED LEGISLATION

—NIL—

ब अदालत श्री कुलदीप पटियाल, कार्यकारी दण्डाधिकारी भोरंज, जिला हमीरपुर (हि० प्र०)

श्रीमती मीरां देवी पत्नी श्री हंस राज, वासी टीका समकरी, मौजा मेवा, तहसील भोरंज, जिला हमीरपुर,
हिमाचल प्रदेश
. . प्रार्थिन ।

बनाम

आम जनता

प्रार्थना—पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम 1969.

श्रीमती मीरां देवी पत्नी श्री हंस राज, वासी टीका समकरी, मौजा मेवा, तहसील भोरंज, जिला हमीरपुर, हिमाचल प्रदेश ने इस अदालत में शपथ—पत्र सहित आवेदन किया है कि उसके लड़के राजेन्द्र कुमार पुत्र श्री हंस राज की मृत्यु 9—2—2010 को गांव समकरी में हुई है, परन्तु ग्राम पंचायत भलवानी में मृत्यु तिथि पंजीकृत नहीं हुई है। जिसके पंजीकरण बारे ग्राम पंचायत भलवानी को आदेश दिए जाएं।

इस नोटिस/इश्तहार द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति विशेष को आवेदिका के लड़के राजेन्द्र कुमार की मृत्यु की तिथि के पंजीकरण बारे कोई उजर/एतराज हो तो वह अपना एतराज इस अदालत में 31—8—2011 को प्रातः 10 बजे असालतन या वकालतन हाजिर आकर प्रस्तुत कर सकता है अन्यथा प्रार्थिन के शपथ—पत्र के आधार पर लड़के राजेन्द्र कुमार की मृत्यु की तिथि के पंजीकरण के आदेश ग्राम पंचायत भलवानी को पारित कर दिए जाएंगे।

आज दिनांक 19—7—2011 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

कुलदीप पटियाल,
कार्यकारी दण्डाधिकारी,
भोरंज, जिला हमीरपुर (हि० प्र०)।

ब अदालत जनाब सहायक समाहर्ता प्रथम श्रेणी, ज्वाली, जिला कांगड़ा, हिमाचल प्रदेश

श्री नसीब सिंह पुत्र श्री ज्ञान चन्द, निवासी महाल जगलेटा/भरील व मौजा सिंयूहनी, तहसील ज्वाली, जिला कांगड़ा, हिमाचल प्रदेश।

बनाम

आम जनता

प्रार्थना—पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री नसीब सिंह पुत्र श्री ज्ञान सिंह, गांव जगलेटा, डा० त्रिलोकपुर, तहसील ज्वाली ने इस अदालत में प्रार्थना—पत्र गुजारा है कि उसके पुत्र दक्ष राणा पुत्र श्री नसीब सिंह का जन्म दिनांक 17—9—2008 को गांव जगलेटा/भरील में हुआ था जो गलती से पंचायत रिकार्ड में पंजीकृत नहीं करवा सका। अब वह जन्म तिथि पंचायत रिकार्ड में दर्ज करवाना चाहता है।

अतः इस नोटिस के माध्यम से सर्वसाधारण को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त पंजीकरण के बारे में कोई उत्तर व एतराज हो तो वह दिनांक 31-10-2011 को सुबह 10.00 बजे इस न्यायालय में असालतन या वकालतन हाजिर आकर पेश कर सकता है अन्यथा हाजिर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाकर जन्म तिथि पंचायत रिकार्ड में पंजीकृत करने के आदेश पारित कर दिए जाएंगे। उसके उपरान्त कोई एतराज न सुना जाएगा।

आज दिनांक 17-8-2011 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
सहायक समाहर्ता प्रथम श्रेणी,
ज्वाली, जिला कांगड़ा, हिमाचल प्रदेश।

ब अदालत जनाब नरेश कुमार, तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी, ज्वाली, जिला कांगड़ा,
हिमाचल प्रदेश

श्री राये सिंह उर्फ फकीर चन्द पुत्र श्री होशनाकू साकन अमलेला, तहसील ज्वाली, जिला कांगड़ा,
हिमाचल प्रदेश

बनाम

आम जनता

विषय.—नाम दरुस्ती बारे प्रार्थना—पत्र।

1. श्री राये सिंह उर्फ फकीर चन्द पुत्र श्री होशनाकू साकन अमलेला, तहसील ज्वाली, जिला कांगड़ा, हिमाचल प्रदेश ने इस न्यायालय में प्रार्थना—पत्र दिया है कि उसका नाम कागजात माल में राये सिंह दर्ज है जबकि पंचायत रिकार्ड में उसका नाम फकीर चन्द है। तथा यह दोनों नाम एक ही आदमी के हैं।

2. प्रार्थी राये सिंह उर्फ फकीर चन्द के पिता का नाम होशनाकू है। परन्तु गलती से उसके पिता का नाम होशयारू दर्ज हो गया है। अतः प्रार्थी अपना व अपने पिता का नाम ठीक करवाना चाहता है।

अतः इस इश्तहार द्वारा आम जनता को सूचित किया जाता है कि यदि उक्त नाम की दरुस्ती हेतु किसी को कोई एतराज हो तो वह दिनांक 31-10-2011 को न्यायालय में उपस्थित होकर असालतन या वकालतन एतराज पेश कर सकता है अन्यथा हाजिर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाकर दरुस्ती के आदेश पारित कर दिए जाएंगे।

आज दिनांक 17-8-2011 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नरेश कुमार,
तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी,
ज्वाली, जिला कांगड़ा, हिमाचल प्रदेश।

**In the Court of Special Marriage Officer-cum-Sub-Divisional Magistrate, Manali, District
Kullu, Himachal Pradesh**

In the matter of :

Mr. Chaman Lal s/o Shri Rewat Ram, r/o Village & P.O. old Manali, Tehsil Manali, District Kullu (H. P.)

and

Mrs. Anna Ly Senko d/o Mr. Igor, r/o Town Nalchik, Kabardino Balkars Kaya Republic Shogentsukova Street H. No. 38 Apartment No. 162 Zip Postal Code 360051M Repulic Russia, (at present w/o Shri Chaman Lal s/o Shri Rewat Ram, r/o Village & P.O. old Manali, Tehsil Manali, District Kullu, (H.P.) Passport No. 710462649, Visa No. AP 1822007.

Versus

General Public

An application for registration of marriage under Special Marriage Act, 1954.

Whereas Mr. Chaman Lal s/o Shri Rewat Ram, r/o Village & P.O. old Manali, Tehsil Manali, District Kullu, (H.P.) and Mrs. Anna Ly Senko d/o Mr. Igor, r/o Town Nalchik, Kabardino Balkars Kaya Republic Shogentsukova Street H. No. 38 Apartment No. 162 Zip Postal Code 360051M Repulic Russia, (at present w/o Shri Chaman Lal s/o Shri Rewat Ram, r/o Village & P.O. old Manali, Tehsil Manali, District Kullu, (H.P.) Passport No. 710462649, Visa No. AP 1822007 has presented an application on 27-7-2011 in this Court for the registration of marriage under Special Marriage Act, 1954. Hence this proclamation is hereby issued for the information of general public that if any person has any objection for the registration of the above marriage can appear in this court on 26-8-2011 at 2.00 P. M. to object registration of above marriage personally or through an authorized agent failing which this marriage will be registered under this Act, 1954 accordingly.

Given under my hand and seal of the Court on 27th day of July, 2011.

Seal.

Sd/-

*Special Marriage Officer-cum-Sub-Divisional Magistrate,
Manali, District Kullu, Himachal Pradesh.*

**In the Court of Marriage Officer-cum-Sub-Divisional Magistrate, Sadar Mandi, District
Mandi, Himachal Pradesh**

In the matter of :

1. Shri Deepak Kapoor s/o Dr. Dharam Pal Kapoor, r/o H. No. 46/11, Tarna Road, Mandi Town District Mandi, H.P.
2. Smt. Bhavna d/o Sh. Desh Raj, r/o H. No. 24/8 Darmayana Muhalla Mandi Town District Mandi, H.P. (At present wife of Shri Deepak Kapoor s/o Dr. Dharam Pal Kapoor, r/o H.No. 46/11, Tarna Road, Mandi Town District Mandi, H.P.) . .
Applicants.

Versus

General public

Subject.—Application for the registration of marriage under section 15 of Special Marriage Act, 1954.

Shri Deepak Kapoor s/o Dr. Dharam Pal Kapoor, r/o H.N. 46/11, Tarna Road, Mandi Town District Mandi, H.P. and Smt. Bhavna d/o Sh. Desh Raj, r/o H.No. 24/8 Darmayana Muhalla Mandi Town District Mandi, H.P. (At present wife Shri Deepak Kapoor s/o Dr. Dharam Pal Kapoor, r/o H. No. 46/11, Tarna Road, Mandi Town District Mandi, H.P.) have filed an application alongwith affidavits in the Court of undersigned under section 15 of Special Marriage Act, 1954 that they have solemnized their marriage on 9-6-2011 according to Hindu rites and customs at their respective houses and they are living together as husband and wife since then, hence their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage can file the objection personally or in writing before this court on or before 11th September, 2011 after that no objection will be entertained and marriage will be registered.

Issued today on 11th day of August, 2011 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Sadar Mandi, District Mandi (H. P.).*

अज अदालत सहायक समाहर्ता प्रथम श्रेणी, तहसील जोगिन्द्र नगर, जिला मण्डी, हिमाचल प्रदेश

मिसल नं० : 19

तारीख मरजुआ : 01-6-2010

तारीख पेशी : 06-8-2011

श्री सोढा राम पुत्र श्री मंगलू राम, निवासी कोटला, डाकघर चिब्बणू तहसील जोगिन्द्र नगर, जिला मण्डी, हिमाचल प्रदेश प्रार्थी।

बनाम

आम जनता

फरीक दोयम।

प्रार्थना—पत्र राजस्व अभिलेख में नाम दरुस्ती इन्द्राज बारे।

प्रार्थी श्री सोढा राम पुत्र श्री मंगलू राम, निवासी कोटला, डाकघर चिब्बणू तहसील जोगिन्द्र नगर, जिला मण्डी, हिमाचल प्रदेश ने इस न्यायालय में भूमि खाता नम्बर 35/34, 56/56, खसरा नम्बर 2717, रकबा तादादी 0-5-2 बीघा स्थित महाल नेर कोटला, तहसील जोगिन्द्र नगर की दरुस्ती खसरा गिरदावरी बारे प्रार्थना—पत्र प्रेषित किया है। प्रतिवादीगण सर्वश्री रेलू राम पुत्र मंगलू राम, बालम पुत्र हीरा लाल, चिन्ता देवी पुत्री हीरा लाल, रती राम पुत्र मंगलू रोशनी देवी पुत्री रमेश चन्द, रेखा देवी, पूनम पुत्री मेद्य सिंह व प्यार सिंह, गंगा राम, कर सिंह, अमर सिंह पुत्रगण पोद्यी को इस न्यायालय द्वारा उपस्थित होने बारे कई बार समन भेजे गए, परन्तु उनकी तामील नहीं हो पा रही है।

अतः उपरोक्त प्रतिवादीगण को इस इश्टहार द्वारा सूचित किया जाता है कि वह दिनांक 6-9-2011 को प्रातः 10.00 बजे असालतन या वकालतन इस न्यायालय में हाजिर होकर अपने उजर/एतराज पेश करें अन्यथा गैर-हाजरी की सूरत में एकतरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 6-8-2011 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर ।

हस्ताक्षरित /-

सहायक समाहर्ता प्रथम श्रेणी,
तहसील जोगिन्द्र नगर, जिला मण्डी, हिमाचल प्रदेश।

अज अदालत सहायक समाहर्ता द्वितीय श्रेणी, तहसील जोगिन्द्र नगर, जिला मण्डी, हिमाचल प्रदेश

मिसल नं० : 28

तारीख मर्जुआ : 07-5-2011

तारीख पेशी : 27-8-2011

प्रदेश श्री दलेर सिंह पुत्र श्री दमोदर दास, निवासी झलगण, तहसील लड भडोल, जिला मण्डी, हिमाचल प्रार्थिन ।

बनाम

आम जनता

फरीक दोयम ।

दरख्खास्त बराए पंजीकरण वसीयतनामा धारा 40 (41) अधिनियम, 1938 के अन्तर्गत।

श्री दलेर सिंह पुत्र श्री दमोदर दास, निवासी झलगण, तहसील लड भडोल, जिला मण्डी, हिमाचल प्रदेश ने इस न्यायालय में आवेदन—पत्र गुजारकर अनुरोध किया है कि सम्बन्धित जो वसीयत श्रीमती नैणी देवी विधवा श्री चिमनू राम, निवासी छाम्ब, डाकघर खड़ीहार, तहसील जोगिन्द्र नगर ने मेरे नाम कर रखी है, वह अभी तक पंजीकृत नहीं हुई है। अब की जावे।

अतः सर्वसाधारण को इस इश्तहार उद्घोषणा के माध्यम से सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त दावा बारा कोई उजर एतराज हो तो वह दिनांक 27-8-2011 को प्रातः 10.00 बजे असालतन या वकालतन इस न्यायालय में हाजिर होकर अपने उजर/एतराज पेश करे अन्यथा गैर-हाजरी की सूरत में एकत्रफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 27-7-2011 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर |

हस्ताक्षरित / -

सहायक समाहर्ता द्वितीय श्रेणी,
तहसील जोगिन्द्र नगर, जिला मण्डी, हिमाचल प्रदेश।

ब अदालत श्री रत्न गौतम, स्पैशल मैरिज अधिकारी (एस0 डी0 एम0), जोगिन्द्र नगर, जिला मण्डी,
हिमाचल प्रदेश

ब मुकद्दमा :

1. श्री वीरेन्द्र कुमार पुत्र श्री बृज लाल, निवासी छतर, डा० जलपेहड़, तहसील जोगिन्द्र नगर, जिला मण्डी, हिमाचल प्रदेश (पति)।
 2. श्रीमती पुष्पा देवी पुत्री श्री शमशेर सिंह हाल उपस्थित पत्नी श्री वीरेन्द्र कुमार, निवासी छतर, डा० जलपेहड़, तहसील जोगिन्द्र नगर, जिला मण्डी, हिमाचल प्रदेश (पत्नी)।

वनाम

आम जनता

प्रार्थना—पत्र जेर धारा 15, चैप्टर-III स्पैशल मैरिज एकट, 1954 के अन्तर्गत विवाह पंजीकरण करने बारे।

उपरोक्त मामले में श्री वीरेन्द्र कुमार व श्रीमती पुष्पा देवी ने इस न्यायालय में प्रार्थना—पत्र पेश किया है कि उन्होंने दिनांक 30-5-2010 को गांव छतर, डाठ जलपेहड़, तहसील जोगिन्द्र नगर, जिला मण्डी, हिमाचल प्रदेश में हिन्दू रीति-रिवाज के अनुसार शादी कर ली है और तब से वह पति—पत्नी के रूप में रहते चले आ रहे हैं। अतः जेर धारा 15 चैप्टर-III स्पैशल मैरिज एकट, 1954 के अन्तर्गत उनका विवाह पंजीकृत किया जावे।

अतः आम जनता व उनके रिश्तेदारों/माता—पिता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारे कोई उजर/एतराज हो तो वह दिनांक 19-9-2011 को दोपहर 2.00 बजे या इससे पूर्व असालतन या वकालतन हाजिर अदालत होकर पेश करे अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर शादी पंजीकरण प्रमाण—पत्र जारी कर दिया जाएगा तथा बाद में कोई भी उजर काबिले समायत न होगा।

आज दिनांक 20-8-2011 को मेरे हस्ताक्षर व मोहर न्यायालय से जारी हुआ।

मोहर।

रत्न गौतम,
स्पैशल मैरिज अधिकारी (एस० डी० एम०),
जोगिन्द्र नगर, जिला मण्डी, हिमाचल प्रदेश।

अज न्यायालय सहायक समाहर्ता प्रथम श्रेणी, तहसील लड़—भड़ोल, जिला मण्डी, हिमाचल प्रदेश

मिसल नं०

तारीख मरजुआ

तारीख पेशी

6 / 2011

12-7-2011

29-8-2011

श्री मान सिंह सुपुत्र श्री हरिया, निवासी पट्टा, डाकघर खड़ीहार ढारा, तहसील लड़—भड़ोल, जिला मण्डी, हिमाचल प्रदेश प्रार्थी।

बनाम

आम जनता

प्रतिवादी।

राजस्व अभिलेख महाल तुलाह में नाम की दरुस्ती बारे आवेदन—पत्र।

श्री मान सिंह सुपुत्र श्री हरिया, निवासी पट्टा, डाकघर खड़ीहार ढारा, तहसील लड़—भड़ोल, जिला मण्डी, हिमाचल प्रदेश ने इस न्यायालय में आवेदन—पत्र गुजारकर अनुरोध किया है कि प्रार्थी का वास्तविक नाम मान सिंह है जो प्रार्थी के सभी अभिलेखों, दस्तावेजों में भी दर्ज है। परन्तु प्रार्थी का नाम राजस्व अभिलेख महाल तुलाह में भाग सिंह दर्ज हुआ है। जोकि गलत दर्ज हुआ है जिसकी दरुस्ती के आदेश दिए जाएं।

अतः सर्वसाधारण को इस इश्तहार के माध्यम से सूचित किया जाता है कि यदि किसी व्यक्ति को प्रार्थी के नाम की दरुस्ती राजस्व अभिलेख महाल तुलाह में करने बारे कोई उजर या एतराज हो तो वह दिनांक 29-8-2011 को प्रातः 10.00 बजे असालतन या वकालतन हाजिर अदालत होकर अपना उजर/एतराज पेश कर सकता है अन्यथा गैर-हाजरी की सूरत में एकतरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 19-8-2011 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
सहायक समाहर्ता प्रथम श्रेणी,
तहसील लड-भड़ोल, जिला मण्डी, हिमाचल प्रदेश